

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
EASTERN DIVISION**

EDDIE L. VIRGIL,

Petitioner,

vs.

UNNAMED,

Respondent.

No. C15-2024-LRR

**ORDER**

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The matter before the court is the petitioner's letter, which the clerk's office construed as an application for a writ of habeas corpus. The clerk's office filed such application on April 20, 2015. The petitioner did not submit the required filing fee or an application to proceed in forma pauperis. *See* 28 U.S.C. § 1914(a) (requiring \$400.00 filing fee for civil actions, except that on application for a writ of habeas corpus the filing fee is \$5.00); 28 U.S.C. § 1915 (explaining in forma pauperis proceedings). Further, the petitioner's letter is not sufficient to commence an action. *See* Fed. R. Civ. P. 3 (indicating a civil action is commenced by filing a complaint); *see also* Fed. R. Civ. P. 8 (addressing general rules of pleading). To the extent that the petitioner is challenging state court proceedings, the petitioner did not comply with Rule 2(d) of the Rules Governing Section 2254 Cases, which requires him to substantially follow the form that is typically utilized by those seeking relief under 28 U.S.C. § 2254. Finally, before seeking a writ of habeas corpus in this court, the petitioner must exhaust the remedies that are available in the Iowa courts. Accordingly, the petitioner's application for a writ of habeas corpus is

denied without prejudice.

**IT IS SO ORDERED**

**DATED** this 23rd day of April, 2015.

A handwritten signature in black ink, appearing to read "Linda R. Reade", is written over a horizontal line.

LINDA R. READE  
CHIEF JUDGE, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF IOWA